

(12)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	)
Plaintiff,	)
v.	) Criminal Action No. 13-34-UNA
DMITRY USTINOV,	) <b><u>FILED UNDER SEAL</u></b>
Defendant.	)

CLERK U.S. DISTRICT COURT  
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 DISTRICT OF DELAWARE  
 2013 MAY -8 PM 2:25

**MOTION FOR LIMITED UNSEALING OF SUPERSEDING INDICTMENT AND ARREST WARRANT**

The United States of America, by and through its attorneys, Charles M. Oberly, III, United States Attorney for the District of Delaware, David L. Hall and Jamie M. McCall, Assistant United States Attorneys for the District of Delaware, moves that the Superseding Indictment and Arrest Warrant in this case be unsealed for the limited purpose of providing the Lithuanian Government with copies of these documents. The United States moves that the Superseding Indictment and File otherwise remain sealed. In support thereof, the United States submits the following:

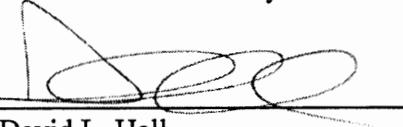
1. On March 25, 2013, the defendant was indicted on various charges relating to his involvement in illegally exporting U.S. Munitions list night vision devices from the United States without a license. On the following day, the Court issued a warrant for the defendant's arrest, and directed that the file in this matter be sealed until further Order of the Court. The defendant was apprehended in Lithuania, and the file remains sealed.
2. On May 7, 2013, the defendant was charged by a superseding indictment on additional charges relating to his involvement in illegally exporting U.S. Munitions list night vision devices from the United States without a license. The Court issued a warrant for the defendant's arrest, and directed that the file in this matter be sealed until further Order of the Court.
3. The defendant is currently held without bail in Lithuania, pending extradition to the United States.

4. The United States moves that the Superseding Indictment and File otherwise remain sealed.

Respectfully submitted,

CHARLES M. OBERLY, III  
United States Attorney

By:

  
David L. Hall  
Jamie M. McCall  
Assistant United States Attorneys

Dated: May 8, 2013